

REMARKS

Upon entry of the claim amendments, Claims 1-5 and 7-17 will be all the claims pending in the application.

The subject matter of original Claim 6 has been incorporated into Claim 1.

Claim 6 has been canceled.

New independent Claim 9 is supported by, for example, original Claim 1 and the description at page 16, lines 19-31, page 31, lines 12-19, page 37, lines 31-36, and Table 5 at page 46.

New Claim 10 is supported by the description at, for example, page 16, lines 19-31.

New Claims 11-17 are original Claims 2-8, respectively, rewritten to depend from new independent Claim 9.

No new matter has been added.

I. RESPONSE TO DOUBLE PATENTING REJECTION

Referring to page 5 of the Office Action, Claims 1-3 and 6-8 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-7 of U.S. Patent No. 6,786,839.

In response, Applicants have filed concurrently herewith a terminal disclaimer with respect to the '839 Patent.

The filing of the terminal disclaimer is not an admission of the propriety of the rejection, and raises neither a presumption nor an estoppel on the merits of the rejection. MPEP §804.02.

Withdrawal of the double patenting rejection is requested.

II. PENDING CLAIMS 1-5 AND 7-8

The only rejection of original Claim 6 contained in the Office Action is the double patenting rejection referred to at Section I above. None of the §102 and §103 prior art rejections set forth in the Office Action included Claim 6.

In view of the incorporation of the subject matter of Claim 6 into Claim 1, each of the prior art rejections set forth in the Office Action has been rendered moot. Therefore, withdrawal of each of the prior art rejections set forth in the Office Action is requested.

Furthermore, in view of the terminal disclaimer, Claims 1-5 and 7-8 are in condition for allowance, and Applicants request an indication to that effect in the next communication from the examiner.

III. NEW CLAIMS 9-17

The claimed golf balls, such as, for example, the golf balls having the particular combination of structural and compositional features recited in independent Claim 9, have an outstanding flight performance, a soft "feel" upon impact, a scuff-resistant cover, and an abrasion-resistant paint coating. For example, the organic sulfur compound (D) contributes to the achievement of a golf ball having sufficient resiliency.

In contrast, the Rajagopalan document does not disclose or suggest the use of an organic sulfur compound selected from the groups recited in Claim 9. For example, it is apparent to one of ordinary skill in the art that tetramethylthiuram, which is disclosed at column 8, line 19, is different from thiophenols, diphenylpolysulfides, dibenzylpolysulfides and the like in terms of chemical structure.

Also, the description at column 8, line 19, of Rajagopalan concerns the use of tetramethylthiuram as a vulcanization accelerator for accelerating the reaction of rubber with a vulcanizing agent. It is generally understood that tetramethylthiuram is included in "thiurams" as a vulcanization accelerator.

In contrast, in the golf ball of Claim 9, claimed organic sulfur compound (D) is not used as a vulcanization accelerator, but rather it contributes to the achievement of a golf ball having sufficient resiliency.

In addition, regarding golf ball performance, Rajagopalan does not disclose or suggest the scuff-resistance of the claimed cover and the abrasion-resistance of the claimed paint coating, which are effects achieved by the claimed golf balls, including the golf balls of Claim 9.

For the foregoing reasons, Rajagopalan fails to anticipate or render obvious the golf balls of Claim 9 (and its dependent claims).

The other references (Yamamoto '859, Sone '505, Ichikawa '100 (& JP 2002-336378), Voorheis '187 and "Science and Golf IV" are silent as to the use of the claimed organic sulfur compound.

Yamagishi (EP 090199 & US '646) disclose in Table 1 that the solid core includes zinc of pentachlorothiophenol. However, the ratio of the thickness of the cover outer layer to the thickness of the cover inner layer is from 1.1/1 to 4.6/1. Indeed, the thickness of the cover outer layer is usually greater than that of the cover inner layer. This relationship between the cover outer layer (cover) and the cover inner layer (mantle) is in direct contrast to the claimed thickness relationship between mantle and cover recited in Claim 9. In Claim 9, the thickness of the mantle is larger than that of the cover.

Watanabe 2001/0055998 discloses in Table 1 that two kinds of organic peroxides (1) & (2) are used as the ingredients of a core material. However, the added amounts of the two peroxides in the Examples of Watanabe are 1.2 parts by weight (in total) based on 100 parts by weight of a polybutadiene as a base rubber. Thus, Watanabe discloses an amount of organic peroxide that is outside the claimed range of 0.1 to 0.8 part by weight of an organic peroxide recited in Claim 9.

Additionally, in Table 1 of Watanabe, the thickness of the inner cover layer (mantle) is smaller than that of the outer cover layer (cover), which is in direct contrast to the claimed thickness relationship between mantle and cover recited in Claim 9.

Thus, Watanabe fails to disclose or suggest at least two features of the golf balls of Claim 9.

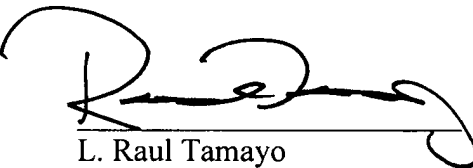
For all of the foregoing reasons, Claims 9-17 are also patentable over the applied art.

IV. CONCLUSION

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



L. Raul Tamayo
Registration No. 47,125

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 19, 2006